

Mr. Andrew Rayner  
Fylde Borough Council  
The Town Hall  
Lytham Saint Annes  
FY8 1LW

6<sup>th</sup> May 2022

PWA Reference: 20-852

Dear Sir/Madam,

**OBJECTION TO TREE PRESERVATION ORDER REFERENCE 2022/0001  
LAND WEST SIDE OF FLEETWOOD ROAD, WESHAM, PRESTON, PR4 3HD**

Under the powers conferred on them by Section 198 of the Town and Country Planning Act 1990 (Tree Preservation) (England) Regulation 2012, Fylde Borough Council has recently made a provisional Tree Preservation Order (TPO) on the Land to the west side of Fleetwood Road, Wesham, Preston, PR4 3HD. It is hereby referred to as 'the site' and has been allocated order reference TPO/2022/0001. Please accept this objection on behalf of Mill Farm Ventures, which I trust will be considered in full prior to the issue of any decision being made.

TPO 2022/0001 is located adjacent to Mill Farm Sports Village, which is subject to allocation MUS3 within the adopted Fylde Local Plan (October 2018). This TPO replaces the former at the site, allocated reference TPO/21/0003 which has since been revoked.

Mill Farm Sports Village is a 6.8 ha parcel of land which has successfully delivered mixture of different uses including but not limited to a supermarket, multiple fast-food restaurants, a football stadium, a storage and distribution warehouse, and multiple artificial sports pitches. It is a very important generator of employment in the locality and has brought many community benefits. A copy of the extract of the Fylde Local Plan Map, showing the site in relation to the Mill Farm Sports Village allocation is provided below at Figure 1.

From discussions recently held with the Council's Planning Officers, it is understood that the allocation of Mill Farm Sports Village (MUS3) in 2018 was based upon land ownership at that time. It was not based upon any physical constraints such as trees.



**Figure 1:** Extract from the Illustrative Masterplan (note that MUS3 is incorrectly labelled)

PWA Planning therefore strongly believe that had the ownership of the land extended east to adjoin Fleetwood Road (A585) at that time, then the allocation of MUS3 would have also been extended by the Council. Indeed, this would have and continues to represent a wholly logical location for further development to help support sustainable growth within Fylde, rounding off the MUS3 allocation.

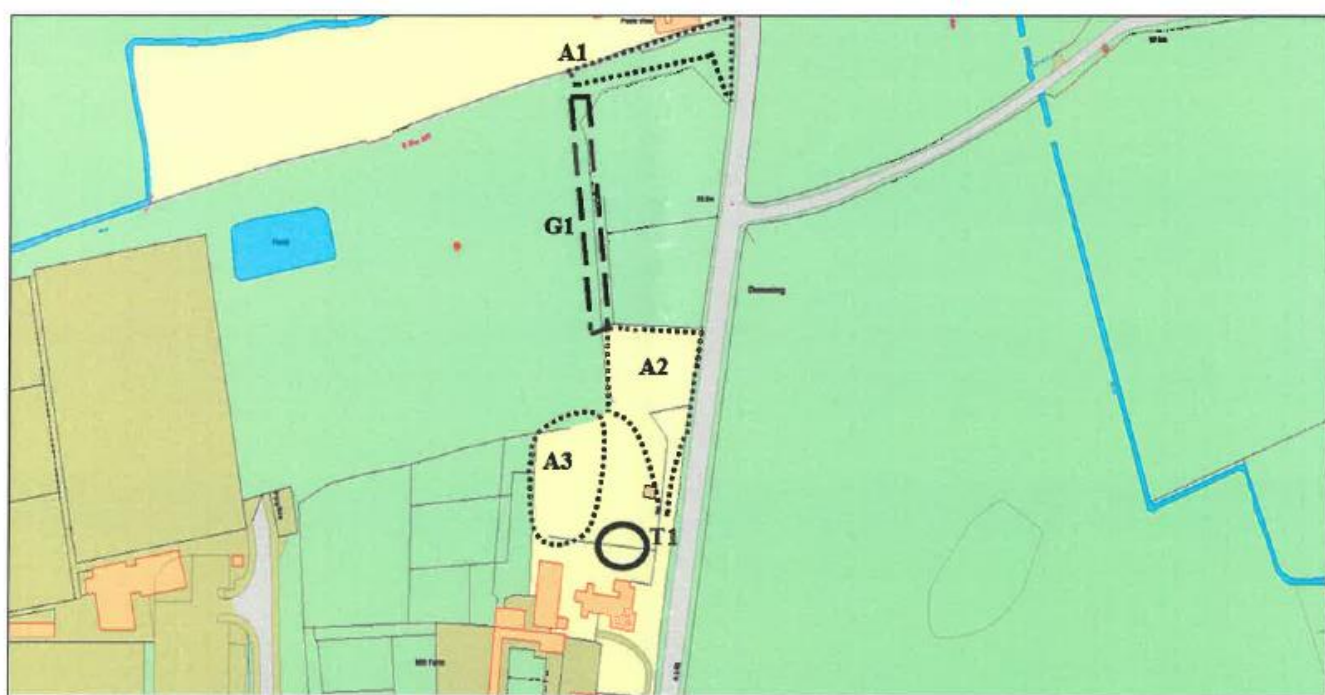
Mill Farm Ventures now own all the land between the Local Plan allocation and Fleetwood Road, including the site subject to the current provisional TPO 2022/0001.

The site is also currently subject to a Hybrid Planning Application, which is in the process of being determined and is suspected to be the reason why a TPO has been made now by the Council. The application was validated 28<sup>th</sup> July 2021 and assigned reference: 21/0620, for which the description of the development reads as:

*“Hybrid planning application comprising: 1) Full planning application for construction of signal-controlled junction to Fleetwood Road to north of stadium with connecting spine road and associated road infrastructure, construction of north stand at stadium, and formation of car parking area. 2) Outline application (all matters reserved) for erection of building to house indoor community sports pitch adjacent Coronation Way, and residential development of up to 99 dwellings to north of new junction.”*

It is particularly noteworthy that the part of the planning application which affects the TPOs is made in outline. The submitted plans are indicative only and were approval granted, then the developer would need to follow this up with an application for Reserved Matters. This would need to explore and consider the relationship between proposed development and existing trees.

Notwithstanding the merits of the planning application, which is being considered under a separate process, TPO 22/0001 lists numerous large groupings of trees and one individual tree. The below extract from the provisional Order demonstrates how the TPO is extensive. This is particularly so because of the focus on protecting groupings. If the TPO were to be made permanent, then it could represent a barrier to any future development in this location.



**Figure 2:** Extract from the Provisional TPO Notice

The Arboricultural Implications Assessment (AIA) and Tree Protection Plan (TPP) submitted alongside planning application ref: 21/0620 are enclosed with this objection. Whilst these documents indicate how all the trees affected in this part of the site have extensive Root Protection Zones, they also provide a more robust assessment of their quality. This identifies the trees as either Category A (high quality), Category B (moderate quality) or Category C (low quality).

In comparison to the information provided with the TPO, the AIA assesses the quality of the trees as follows:

TPO Identification	Arboricultural Implications Assessment
A1	Category A (high)
A2	Category B (moderate)
A3	Mix of Category B (moderate) and C (low)
G1	Category B (moderate)
T1	Category B (moderate)

The above table show that whilst there is one grouping of high-quality trees towards the very north of the site (A1), all others are of a lesser value, to an extent that not all are deemed worthy of such extensive protection.

Whilst the MUS3 designation does not include the land subject to the TPO, there are clear the benefits from promoting a truly mixed-use scheme across the site. This, in my opinion should be afforded very significant weight and influence the approach taken by the Council towards the protection of any trees. Indeed, development in such a logical position between the existing MUS3 allocation and Fleetwood Road will help to reduce wider pressures for development elsewhere within the Open Countryside.

PWA Planning consequently strongly perceive that the TPO should not be made permanent. Instead, it would be more appropriate for the value and retention of trees to be assessed through planning applications, which have to date and, in the future, would need to be accompanied by an AIA and TPP. This will ensure that any proposed development is designed in a way that allows for the retention of most of the most valued trees, whilst enabling access into the site which delivers economic and social benefits. Consequently, a more balanced approach would be achieved which can achieve all key objectives. Moreover, the planning application process would be able to ensure that proposed landscaping designs adequately compensate for any tree losses elsewhere within the site.

Should the Council disagree with this view and still wish to make the TPO permanent, then it is requested that a more focused view is taken which considers the quality of value of more individual trees – as not all are of high quality. Whereas a blanket protection, as currently shown on the TPO plan could have a damaging effect on the potential for the site to deliver development, a more focused Order is likely to help achieve a form of development that is designed around the most important natural features.

For the above reasons TPO/22/0001 should not be made permanent. I would be grateful if you could please keep me informed regarding any upcoming Meeting of Planning Committee, where the TPO is to be discussed and final decisions made. My client will wish to make verbal representations ahead of any such debate. I shall look forward to hearing from you in due course.

Yours sincerely,

**Matthew Wyatt** MRTPI  
*Associate*

Enc: Arboricultural Implications Assessment (AIA) and Tree Protection Plan (TPP) submitted alongside planning application ref: 21/0620